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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,217	07/11/2003	John Martin Moffatt	200208709-1	4399

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EXAMINER

MAHONEY, CHRISTOPHER E

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,217

Applicant(s)

MOFFATT, JOHN MARTIN

Examiner

Christopher E Mahoney

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/11/2003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-6 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Younger (U.S. Patent No. 3,856,388). Younger teaches a projector comprising a housing 42 defining an interior and an exterior, a first projection path (out through 34 on 24) extending from said interior to said exterior (viewing screens, i.e. 48) a second projection path (either through another 34 on 24, alternatively out through 34 on either 30, 32) extending from said interior to said exterior (viewing screens, i.e. 50), a light source 40 positioned in said interior, said light source capable of creating a visual (col. 1, line 36) wherein both projection paths are aligned with the light source. As depicted in figure 4 the projection paths may be perpendicular to each other and may also be parallel to and oppositely disposed relative to each other.

Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Lindenberg (U.S. Patent No. 2,041,194). Lindenberg teaches a projector comprising a housing 12 defining an interior and an exterior, a first projection path (straight out through 17a and 18a in figure 7) extending from said interior to said exterior (on to viewing screens 6) a second projection path (either reflected from 17a or 18a) extending from said interior to said exterior (viewing screens 6), a light source 13 positioned in said interior, said light source capable of creating a visual (col. 2b, line 30) wherein both projection paths are aligned with the light source.

Both projection paths are aligned with the light source via either beam splitter 17a or 18a. The first projection path (straight) is fixed while the second (or third) projection path is adjustable by adjusting mirrors 17a, 18a, and/or 23.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Younger (U.S. Patent No. 3,856,388) in view of Muehlhoff (U.S. Patent No. 6,773,113). Younger teaches the salient features of the claimed invention except for a port for receiving data representative of the visual. Muehlhoff teaches that it was known to either add a digital system to a film projector or replace the film projector with the digital system which would include an input data port 27 for receiving data representative of the visual image projected. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Muehlhoff for the purpose of utilizing digital technology (i.e. for faster distribution). The applicant is directed to review col. 1, lines 28-31 and col. 7, lines 5-12.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lindenberg (U.S. Patent No. 2,041,194) in view of Muehlhoff (U.S. Patent No. 6,773,113). Lindenberg teaches the salient features of the claimed invention except for a port for receiving data representative of the visual. Muehlhoff teaches that it was known to either add a digital system to a film projector or replace the film projector with the digital system which would include an input data port 27

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for receiving data representative of the visual image projected. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features taught by Muehlhoff for the purpose of utilizing digital technology (i.e. for faster distribution). The applicant is directed to review col. 1, lines 28-31 and col. 7, lines 5-12.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E Mahoney whose telephone number is (571) 272-2122. The examiner can normally be reached on 8:30AM-5PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher E Mahoney
Primary Examiner
Art Unit 2851